IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE THIRTEENTH DAY OF APRIL
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MS JUSTICE G.ROHINI

WRIT PETITION NO: 6778 of 2005

Between:

Smt. K. Kritika Ramchandani, W/o. Anil Ramchandani
R/o.C-302, Asian Manor, Road No.2, Banjara Hills, Hyderabad.

..... PETITIONER

AND

1 The Government of Andhra Pradesh, Rep. by

its Secretary to Government in Revenue Department,

Secretariat Building, Saifabad, Hyderabad.
2 The Secretary to Government of Andhra Pradesh, Stamps &

Registration, Secretariat Building,
Saifabad, Hyderabad.
3 The District Collector, R.R. District, Lakdikapool, Hyderabad.
4 The Special Grade Deputy Collector & RDO,

Chevella Division, R.R. District.
5 The Registrar of Documents, R.R. District, Mehdipatnam, Hyderabad.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a Writ Order or Orders or direction more particularly one in nature of writ of Mandamus to declare the action of respondents not to register the sale deed executed by K. Manmohan Rao in petitioners' favour as illegal, arbitrary and highhanded and to direct the respondents and more particularly respondent No.5 to register the sale deed executed by K. Manmohan Rao in favour of petitioner Smt.

Kritika Ramchandani in respect of Plot bearing No. 146 in S.No.5/3 admeasuring 350 Sq. yards situated at Raidurg, Panmaqtha Village, Serilingampally Mandal, R.R. District bound on: East: Plot No. 145 West: Plot No. 147 North: 30 Feet wide Road South: by Plot No. 139 on payment of stamp and registration charges and pass such other order or orders as this Hon'ble Court may deems fit and proper in the circumstances of the case.

Counsel for the Petitioner: MR.P.PANDURANGA RAO

Counsel for the Respondents: GP FOR REVENUE

The Court at the stage of admission made the following:

HONOURABLE MS.JUSTICE G.ROHINI

WRIT PETITION NO.6778 OF 2005

ORDER:

This writ petition is filed by the petitioner seeking a declaration that the action of the respondents in not registering the sale deed executed in her favour by one K.Manmohan Rao in respect of Plot No.146 situated in S.No.5/3 of Raidurg, Panmaqtha Village, as arbitrary and illegal.

It is not in dispute that in respect of the said land, L.G.C.No.13 of 2004 filed by the Government of A.P. is pending on the file of the Special Court under the A.P. Land Grabbing (Prohibition Act), Hyderabad. Though the Government of A.P. filed I.A.No.353 of 2004 seeking a direction to the respondents not to make any constructions in the application schedule land, during the pendency of the Land Grabbing Case, the Special Court by order dated 27-12-2004 closed the said Application observing that any alienation made or any construction made in the schedule property shall be subject to the result of the main LGC.

In the circumstances, the learned Counsel for the petitioner contends that the registering authority ought to have received the sale deed presented for registration and ought to have processed the same in accordance with law.

The learned Government Pleader appearing for the respondents submits that any such transaction shall be subject to outcome of the Land Grabbing Case pending before the Special Court.

Having regard to the facts and circumstances of the case, particularly in view of the order passed by the Special Court in I.A.No.353 of 2004, the writ petition is disposed of with a direction to the respondents to receive the document executed by Mr.K.Manmohan Rao in favour of the petitioner in respect of the land in S.No.5/3 of Raidurg, Panmaqtha Village, as and when presented and process and register the same in accordance with law. However, it is made clear that the order of the Special Court in I.A.No.353 of 2004 in LGC.No.13/2004 shall be binding on the petitioner and his vendor and the transaction in question shall be subject to the result of the main L.G.C.

It is also made clear that in case there is any other objection for registering the document, it is open for the registering authority to raise such objection, but the same shall be communicated to the petitioner and his vendor within a period of two weeks from the date of receipt of a copy of this order.

The Writ Petition is accordingly disposed of. No costs.

G.ROHINI, J

13th April, 2005

Note:

Furnish CC within one week.

B/o.

SKM

To

1 The Secretary to Government in Revenue Department,

Government of Andhra Pradesh, Secretariat Building,

Saifabad, Hyderabad.
2 The Secretary to Government of Andhra Pradesh, Stamps &

Registration, Secretariat Building,
Saifabad, Hyderabad.
3 The District Collector, R.R. District, Lakdikapool, Hyderabad.
4 The Special Grade Deputy Collector & RDO,

Chevella Division, R.R. District.
5 The Registrar of Documents, R.R. District, Mehdipatnam, Hyderabad.

6 The Special Court under the land Grabbing (Prohibition) Act,

Hyderabad.

7 Two C.Cs. to G.P. for Revenue,

High Court Buildings, High Court of A.P., Hyderabad, (OUT)

8 Two C.D. copies.

*Form-NIC-OGS/WP{**VSMI**}*